

REMARKS/ARGUMENTS

The present Amendment is responsive to the final Office Action mailed January 22, 2008 in the above-identified patent application.

Claims 1-8 and 10-12 are the claims currently pending the current application.

Claims 1-8 and 10-12 are amended to clarify features recited thereby.

Rejection of Claims 1-8 and 10-12 under 35 U.S.C. § 112, First Paragraph

Claims 1-8 and 10-12 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement on the ground that the terms “said counterchassis is glued to said vehicle body” and “a reversible fastener configured and positioned to connect said draw piece to the window chassis” are not sufficiently supported in Applicant’s disclosure.

The counterchassis includes the draw piece 6 shown in Figs. 3 and 4 (see, for example, claim 1 as originally filed, “said counterchassis includes a draw piece with at least an outer portion, and at least an inner wing, said outer portion and said inner wing being interconnected”). The Specification describes Fig. 3 as showing “a Z-shaped draw piece 6; this consists of an outer portion 7 and an inner wing 9, both connected by a stem 8, the whole forming a single piece” (Specification, page 6, lines 1-4).

With respect to the first term cited in the rejection of claim 1, Applicant notes that the Specification explains that the “Z-shaped draw piece 6 is provided with special steps and notches allowing it to be steadily fixed to the vehicle body opening 13 through gluing or through mechanical connection means” (Specification, page 6, lines 9-12, underline added). Thus, it is respectfully submitted that the term “said counterchassis is glued to said vehicle body” is fully supported by Applicant’s disclosure.

Further, Applicant’s disclosure provides that:

the inner wing 9 of the Z-shaped draw piece 6 includes a housing 14 for the screws, allowing the window chassis 2 to be fastened to said draw piece 6. The window chassis 2 is also connected to the draw piece 6 through the interposition of the gasket 15 fit to provide the centering, the watertightness and the support of the window framework in the opening. It is also possible, should the particular shape of the vehicle body opening require so, [to] provide the Z-shaped draw piece 6 with a fastening foot 16 in order to improve the structural stability of the securing system, as illustrated in Figure 3.

(Specification, page 6, line 21 – page 7, line 7, underline added). Thus, it is respectfully submitted that the term “a reversible fastener configured and positioned to connect said draw piece to the window chassis” is fully supported by Applicant’s disclosure.

Claims 2-8 and 10-12 depend from claim 1 and were rejected only because of their dependence from claim 1.

Restriction and Constructive Election

Claims 1-8, amended in the previous Amendment, and claims 10-12, newly added in the previous Amendment, are stated by the Office Action to be directed to an invention independent or distinct from the invention originally claimed because the original claims are directed to “System for securing a window to a vehicle body.”

While Applicant disagrees with the Examiner that the claims as set forth in the previous Amendment were directed to an invention different from the originally claimed invention, the claims are now amended such that they are directed to a system for securing a window including an outer glass to a vehicle body, and thus, they should be now considered because they are directed to the originally-elected invention.

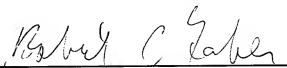
Moreover, it is respectfully submitted that the amendments to the claims are not believed to raise new issues that would require further searching because they are directed to the invention already considered by the Examiner.

In view of the foregoing discussion, withdrawal of the rejection and allowance of the claims of the application are respectfully requested.

Respectfully submitted,

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